

Legal and Democratic Services

HEAD OF SERVICE: Margaret Reed



Hearing Decision Notice

Licensing Panel Hearing 28 June 2007

The Bull Bar and Brasserie, Henley on Thames

The Licensing Panel met on 28 June 2007 to consider the application to vary the premises licence for The Bull Bar and Brasserie, Henley on Thames.

The decision of the Panel is set out in the Notes of the hearing (appended).

The Licensing Officer will send the formal documentation setting out the details of the licences to the applicant. This decision is effective from its announcement at the hearing.

Appeal rights.

All parties have the right of appeal. The Guidance issued under section 182 of the Licensing Act 2003 states that if you wish to appeal you must give notice of the appeal to the justices' chief executive of the magistrates' court for your area within a period of 21 days from 28 June 2007. The magistrates' court may make any order as to costs as it thinks fit. The magistrates' court is situated at Speedwell Street, Oxford OX1 1RZ and can be contacted on 0870 2412808.

Right of review.

Section 10.1 of the Council's Statement of Licensing Policy states that under the 2003 Licensing Act, it is possible for the authority to review a premises licence at any time, if it receives representations from one or more of the responsible authorities or interested parties. The authority may not initiate its own review without receiving representations. Reviews may only arise in connection with a failure of the premises relating to the four licensing objectives (prevention of crime and disorder, public safety, prevention of public nuisance, protection of children from harm). The local authority will generally not expect to hold a review into a licence on representations from an interested party more than annually unless there has been a significant change in the use of the premises or there are exceptional circumstances.

Steven Corrigan

Democratic Services Manager Date issued & posted: 28 June 2007

Notes



Licensing Panel Hearing

held on 28 june 2007 at 10.00 aM

Place: Council Chamber, Council Offices, Crowmarsh Gifford

Applicant for the variation: The Henley Pub
Company Ltd.

Premises: The Bull and Brasserie

Premises address: 57-59 Bell street, Henley on Thames RG9 2BA.

Licensing Panel Councillors: Mr John Nowell-Smith (Chairman)

Mr Maurice Newland

Mr Lyndon Elias

Legal advisor: Mrs Charlotte Osborne

Licensing Officer: Mr A Dearling

Clerk: Mr Steven Corrigan

Environmental Health Officer: Mr Craig Miller

Mr Richard Pugh, Designated Premises Supervisor, and Mr Mike Cobb,
Managing Consultant, represented the premises licence holder.

The Panel considered the report of the Licensing Officer, the application for a
variation, the existing premises licence and relevant representations from six

local residents. The Panel heard submissions from the Licensing Officer, Mr Pugh and Mr Cobb and considered a representation in the form of an email from an objector, Mrs D Eggleton, who was unable to attend.

After hearing the submissions, the Panel discussed the application in private session accompanied by the legal advisor and clerk.

The Panel sought to balance the interests of the applicant with the representations made by the local residents. The Panel had regard to the steps necessary to promote the licensing objectives, the Licensing Act, the Secretary of State's Guidance, the Council's Statement of Licensing Policy and the relevant representations by the responsible authorities and interested parties. The Panel took into account the evidence within the report including the evidence of those unable to attend the hearing, and considered the individual circumstances of this case in reaching their decision.

The decision of the Panel, as stated by the Chairman at the close of the hearing, was as follows:

To grant the variation to the premises licences as set out in the application subject to an additional condition set in accordance with the Council's Statement of Licensing Policy and listed below.

The Panel noted that the applicant will adhere to the conditions set out in the operating schedule. The Panel noted that the conditions appertaining to the previous licence will remain in force and apply to the extended hours.

Door supervisors must be provided from 11.00pm on those occasions when the premises is open beyond 1.00am.

Reasons:

Pursuant to policy OS13 and with reference to policy LH7 of the Council's Statement of Licensing Policy to reduce the potential for public nuisance and crime and disorder, which may be caused if the later hours granted attract customers from other venues to the premises and

to reduce the potential for public nuisance and crime and disorder that may result from customers leaving the premises in the early hours of the morning, in accordance with policy LH6 of the Council's Statement of Licensing Policy.

The Chairman informed those present of their right of appeal, and that any further objections to the operation of this premises licence in the future could be dealt with by way of review.

Signed as a true summary of the proceedings by the Chairman¹

Date

¹ Unlike committee minutes, notes of Panel hearings are signed by the Chairman on behalf of the Panel but are not approved by the whole Panel.